

Order

Michigan Supreme Court
Lansing, Michigan

June 1, 2011

Robert P. Young, Jr.,
Chief Justice

142819

Michael F. Cavanagh
Marilyn Kelly
Stephen J. Markman
Diane M. Hathaway
Mary Beth Kelly
Brian K. Zahra,
Justices

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellant,

v

CURTIS MICHAEL LEWIS,
Defendant-Appellee.

SC: 142819
COA: 294687
Jackson CC: 09-005687-FC

On order of the Court, the application for leave to appeal the February 17, 2011 judgment of the Court of Appeals is considered and, pursuant to MCR 7.302(H)(1), in lieu of granting leave to appeal, we REVERSE the part of the Court of Appeals decision vacating the defendant's sentence and remanding for resentencing and REINSTATE the sentence imposed by the Jackson Circuit Court. The defendant was convicted of armed robbery, a crime punishable with imprisonment for life or any term of years, and MCL 769.34(2)(b) does not apply when a defendant is convicted of a crime punishable with imprisonment for life or any term of years because the minimum will never exceed two-thirds of the statutory maximum of life. *People v Washington*, ___ Mich ___ (Docket No. 141929, decided April 8, 2011); *People v Powe*, 469 Mich 1032 (2004); *People v Drohan*, 475 Mich 140, 162 n 14 (2006); and *People v Harper*, 479 Mich 599, 617 n 31 (2007).



h0525

I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

June 1, 2011

Corbin R. Davis

Clerk